

REMARKS

Claims 147-149, 153, 155-157, 195, 199-201, 205, 207-209, 247, and 249 are pending in this application, and claims 150-152, 154, 158-194, 196-198, 202-204, 206, 210-246, and 248 have been withdrawn. By this amendment, claims 147, 148, 153, 199, 200, 205, and 249 are amended to more particularly describe the invention. Thus, claims 147-149, 153, 155-157, 195, 199-201, 205, 207-209, 247, and 249 remain pending in this application. Applicants respectfully request reconsideration and allowance of the application in view of the above amendments and the following remarks.

Claim Rejections - 35 USC § 103

The Examiner has rejected claims 147-149, 153, 155-157, 195, 199-201, 205, 207-209, 247, and 249 under 35 U.S.C. § 103(a) as being unpatentable over the public use of the invention by iUniverse as demonstrated by the periodicals listed as PTO 892 references U, V, W, X, and Y (hereinafter referred to as 892u, 892v, 892w, 892x, and 892y respectively). The Examiner cites portions of 892u, 892v, 892w, 892x, and 892y in support of this rejection. However, 892u, 892v, 892w, 892x, and 892y, taken alone or in combination, disclose, suggest, or render obvious, each and every feature of the pending claims. Applicants respectfully traverse.

However, 892u, 892v, 892w, 892x, and 892y teach a combined publishing and distribution system, that automatically publishes and distributes content. The publishing and distribution system of 892u, 892v, 892w, 892x, and 892y receives content from an author and automatically sends the content to a distribution system, then publishes the content in a desired format.

In contrast, the present invention receives content from an author, sends information about the content to several distribution systems. The distribution systems have a filter using pre-defined rules about content, allowing the publishing system to send the content only to those distribution systems that are interested in the content.

Claim 147 of the present invention is directed to a method of publishing content, having the steps of receiving, by a publishing system, a selection of content from a user of the

publishing system, the selection identifying an item of content; receiving, by the publishing system, a request to publish the selected content from the user of the publishing system; providing, by the publishing system in response to the request from the user to publish the content, information to a plurality of distributor systems, the information comprising at least one of a description of the content, metadata of the content, content identifiers, publisher information, content repository indication and a rights specification identifier; upon receiving the information, generating, by one of the plurality of distributor systems, a response using the provided information and one or more pre-defined rules stored in a database, wherein one of the plurality of distributor systems uses the pre-defined rules to determine whether the one of the plurality of distributor systems is interested in the content specified by the provided information; providing, by one of the plurality of distributor systems, the response to the publishing system; determining, by the publishing system, whether the response indicates that one of the plurality of distributor systems is interested in the content specified by the provided information; and upon the publishing system determining that one of the plurality of distributor systems is interested in the content specified by the provided information, supplying, by the publishing system, metadata and a rights specification to one of the plurality of distributor systems, the metadata including identification and descriptive data of the content, and the rights specification including at least one of usage rights and rights conditions. Claims 199 and 249 correspond to claim 147.

As described above, claims 147, 199, and 249 are directed to a publishing and distribution system with a filter between the publishing and distribution, so that distribution systems receive and sell only the content that they are interested in. A description of the content is sent to several distribution systems, who then, using an automatic filtering process, decide which content they would like to sell, responds back to the publishing system.

The iUniverse references 892u, 892v, 892w, 892x, and 892y make no mention of allowing distributors to automatically select the content that they receive, or the information about the content they receive. The present invention is specifically directed to a system that separates publishing and distribution, allowing distributors to choose among content in an automated manner.

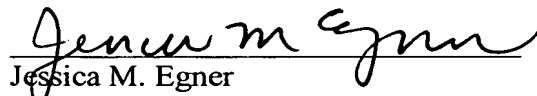
Additionally, dependent claim 148 and corresponding dependent claim 200 are directed to customized rights, depending upon distributor specifications. These customized

rights include narrowing or altering the rights available for a distributor/publisher to sell to an end-user. The iUniverse references 892u, 892v, 892w, 892x, and 892y make no mention of allowing distributors to customize the rights that they receive, or to customize the rights that they allow to an end-user. The present invention is specifically directed to a system that separates publishing and distribution, allowing distributors to choose among content and to alter or customize the rights available to end-users.

Since the iUniverse references 892u, 892v, 892w, 892x, and 892y fail to teach or suggest each and every element recited in independent claim 147, 199, or 249, alone or in combination, Applicants respectfully submit that the references 892u, 892v, 892w, 892x, and 892y do not render the present invention obvious. Therefore, Applicants respectfully request that the rejection of independent claim 147, 199, and 249 under 35 U.S.C. § 103(a) be withdrawn. Similarly, with regard to claims 148, 149, 153, 155-157, and 195, incorporating additional features, and dependent upon claim 147, and claims 199-201, 205, 207-209, and 247, incorporating additional features, and dependent upon claim 199, Applicants respectfully request that the rejection of these claims under 35 U.S.C. § 103(a) be withdrawn at least for the reasons set forth above with regard to independent claim 1.

In view of the foregoing, it is submitted that the present application is in condition for allowance, and a notice to that effect is respectfully requested. If a conference would expedite prosecution of the instant application, the Examiner is hereby invited to telephone the undersigned attorney to arrange such a conference.

Respectfully submitted,
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